

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

2008 JUL 17 PM 1:55
THE CLERK OF THE COURT
WD OF WI

UNITED STATES OF AMERICA

v.

KATHERINE CHRISTIANSON,
AARON ELLRINGER, and
BRYAN RIVERA,
a/k/a "Rat Dog,"
a/k/a Bryan Lefey,

Defendants.

)
) SUPERCEDING INDICTMENT
)

) Case No. 08-CR-107-C
) 18 U.S.C. § 371
) 18 U.S.C. § 1361
)

SEALED

THE GRAND JURY CHARGES:

COUNT 1

1. At all times material to this indictment:

(a). The "Earth Liberation Front" (ELF) and "Earth First" were, and are, loosely organized movements of individuals committed to the eradication of activities these individuals believe to be harmful to the natural environment, including commercial activities, land development, and genetic research.

(b). Some individuals who affiliate themselves with the Earth First and ELF movements believe in the necessity of "direct actions" to further their cause and promote their ideas. Direct actions are acts of vandalism or arson designed to intimidate businesses, government, and the general civilian population into ceasing activities that individuals in these movements believe are harmful to the natural environment. These direct actions include acts that violate the federal criminal laws of the United States.

(c). Individuals who participate in these direct actions take steps to avoid detection by law enforcement, so as not to be apprehended for their participation in the crimes. After these direct actions occur, however, these individuals anonymously claim responsibility for their actions on behalf of Earth First or ELF using a communique to law enforcement or to the press, in an effort to draw more attention to their cause.

(d). The United States Forest Service is frequently targeted for direct actions by individuals associated with Earth First and ELF because the United States Forest Service maintains forests used by the logging industry, and also conducts genetic research on trees and plants that these individuals believe is harmful to the natural environment.

2. During the period beginning in or about June of 2000, and continuing to July 20, 2000, in the Western District of Wisconsin and elsewhere, the defendants,

KATHERINE CHRISTIANSON,
AARON ELLRINGER,
and
BRYAN RIVERA,
a/k/a "Rat Dog,"
a/k/a Bryan Lefey,

knowingly, intentionally, and unlawfully conspired and agreed with Ian Wallace and Daniel McGowan, named as coconspirators but not defendants herein, and with others, known and unknown to the grand jury, to commit an offense against the United States, namely to willfully injure and commit depredation against property belonging to the United States Forest Service, an agency of the United States, in violation of Title 18,

United States Code, Section 1361.

3. As part of the conspiracy, in late June or early July of 2000, KATHERINE CHRISTIANSON, BRYAN RIVERA (a/k/a "RAT DOG" and a/k/a Bryan Lefey), Ian Wallace, and Daniel McGowan met at the annual conference for Earth First in Tennessee and planned an attack on the U.S. Forest Service Facility in Rhinelander, Wisconsin. The conspirators believed that the U.S. Forest Service Facility in Rhinelander was an appropriate target for a direct action because the facility was performing a genetic research project on trees, which the group believed was harmful to the natural environment. The conspirators decided to do the attack in combination with their planned protests at the International Society of Animal Geneticists ("ISAG protests") occurring in late July of 2000 in Minneapolis, Minnesota.

4. As further part of the conspiracy, in July of 2000, approximately one to two weeks before the attack, some of the conspirators conducted additional surveillance at the Rhinelander facility.

5. As further part of the conspiracy, several days after this surveillance, CHRISTIANSON, Wallace, and McGowan obtained etching cream, saws, scraping tools, and other items needed for the attack. In the time leading up to the attack, the group also obtained dark clothes, gloves, ski masks, and spray paint. During this period, RIVERA was kept apprised of the planning, and AARON ELLRINGER was recruited to be the driver.

6. As further part of the conspiracy, on July 19, 2000, CHRISTIANSON, RIVERA, Wallace, and McGowan traveled from the ISAG protests in the Minneapolis,

Minnesota area, to Eau Claire, Wisconsin to pick up ELLRINGER. ELLRINGER then drove them to the U.S. Forest Service facility in Rhinelander, Wisconsin. ELLRINGER dropped the others off sometime after midnight.

7. As further part of the conspiracy, CHRISTIANSON, RIVERA, Wallace and McGowan damaged approximately 500 research trees at the U.S. Forest Service Facility in Rhinelander, Wisconsin. Using spray paint and etching cream, the group also permanently defaced numerous U.S. Forest Service vehicles with references to ELF. After the attack, ELLRINGER picked them up, and the group traveled back to the Minneapolis area. During the trip back, the group disposed of the materials and clothing they had used in an effort to avoid being tied to the attack.

8. As further part of the conspiracy, after returning back to the Minneapolis area, CHRISTIANSON and McGowan sent out a communique on behalf of ELF claiming responsibility for the attack on the Rhinelander facility. The communique ended with the words: "We are everywhere and nowhere and we are watching. For wildness and an end to industrial society." It was signed: "ELF Earth Liberation Front."

9. The damage done by the attack on the U.S. Forest Service Facility in Rhinelander on July 20, 2000, was in excess of \$500,000.

OVERT ACTS

10. In order to carry out the objects of the conspiracy, defendants and others committed the following overt acts in the Western District of Wisconsin:

(a). One week or less before the planned attack, Wallace and others traveled to the home of AARON ELLRINGER in Eau Claire, Wisconsin, where he was

successfully recruited to be the driver.

(b). On July 19, 2000, CHRISTIANSON, ELLRINGER, RIVERA, Wallace, and McGowan traveled to the United States Forest Service Facility in Rhineland, Wisconsin.

(c). On July 20, 2000, ELLRINGER, CHRISTIANSON, RIVERA, Wallace and McGowan willfully injured and committed depredation against property belonging to the United States Forest Service as described above.

(All in violation of Title 18, United States Code, Sections 371).

COUNT 2

On or about July 20, 2000, in the Western District of Wisconsin, defendants

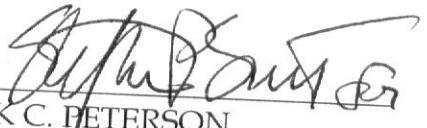
KATHERINE CHRISTIANSON,
AARON ELLRINGER,
and
BRYAN RIVERA
a/k/a "Rat Dog,"
a/k/a Bryan Lefey,

willfully injured and committed depredation against property belonging to the United States Forest Service, an agency of the United States, such damage exceeding \$1000.

(In violation of Title 18, United States Code, Sections 2 & 1361).

A TRUE BILL


PRESIDING JUROR


ERIK C. PETERSON
United States Attorney

Indictment returned: July 17, 2008